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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,815	02/24/2000	Alfred Rast	GR 99 P 4036 US	5476

7590

05/09/2003

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EXAMINER

SONG, SARAH U

ART UNIT

PAPER NUMBER

2874

DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/511,815

Applicant(s)

RAST ET AL.

Examiner

Sarah Song

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Applicant's communication filed on March 11, 2003 has been carefully considered and placed of record in the file. Claims 1, 6, 8 and 9 have been amended. Claims 1-9 are pending.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-7 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Selli et al. (U.S. Patent 6,086,263). Selli et al. discloses an electro-optical module including a module body (238; or alternatively, shown in dashed lines within base portion 238 in Figure 14; see also Figure 13 which illustrates a module body, comprising device 210, which is apart from the termination fixture) disposed on a PCB 208, said module body having a planar top side; an optical connector interface 230 being a separate part and disposed at the top side of said module body; an electro-optical converter 210 disposed in said module body; a fiber optic waveguide segment 236 having an end region; and a connector 12 accommodating said end region, said connector being connectable to said optical connector interface 230 (see column 3, lines 39-42) for optically connecting said end region. The module is surface-mountable (see Figure 14) and the connector interface is formed as one piece (integrally molded, see column 13, lines 30-45). Selli et al. additionally discloses that the connector interface 230 may be formed of two separate pieces (see column 13, lines 36-39). Regarding claim 3, Selli et al. discloses that the distance

between the fiber stop and the surface of the PCB is 3.05 mm (see column 13, lines 11-13). The fiber stop corresponds with the location of the end of fiber segment that projects from the connector, and the surface of the PCB corresponds with the bottom side of the electro-optical module; therefore, the waveguide segment also extends at a height of more than 3 mm above the bottom side of the electro-optical module. Regarding claims 5 and 6, the end region of the fiber optic waveguide segment is oriented horizontally in a mounted state, and said optical connector interface includes a beam deflector (slanted face in Figure 14) for deflecting a beam path between said electro-optic converter and said end region of said fiber optic waveguide segment (see column 13, lines 36-39).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Selli et al. Selli et al. discloses a single catch element 40 on the connector 12, and a corresponding laterally extending groove (formed in the bottom edge of opening 74, shown in Figure 4) formed in the connector interface. Selli et al. does not specifically disclose plural catch elements and corresponding grooves. It is well known in the art to provide plural interengaging elements for secure connections between a connector and an interface. Therefore, it would have been obvious to one of ordinary skill in the art to provide plural catch element and corresponding grooves for

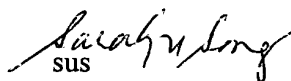
the purpose of providing a secure engagement between the connector and the connector interface.

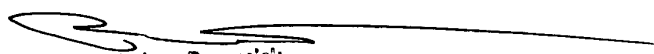
***Response to Arguments***

6. Applicant's arguments filed March 11, 2003 have been fully considered but they are not persuasive. Applicant states that Selli et al. does not disclose a separate connector interface. Examiner respectfully disagrees. The module body was previously noted by the examiner using reference numeral 238. Selli et al. discloses in column 13, lines 36-39 that the fixture 230 may be formed of two pieces. The dashed lines in Figure 14 also indicate that the connector interface is formed of two pieces. The left-most portion is a separate piece from the module body 238, as previously relied upon. Alternatively, it appears that the module body (comprising device 210) is separate from the termination fixture all together, as is shown in Figure 13. Therefore, the connector interface 230 as a whole is a separate piece from the module body (indicated by the dashed lines in base 238). Therefore, the claims are not patentable over Selli et al. as stated above and in the preceding rejections.

***Conclusion***

7. Any inquiry concerning the merits of this communication should be directed to Examiner Sarah Song at telephone number 703-306-5799. Any inquiry of a general or clerical nature, or relating to the status of this application or proceeding should be directed to the receptionist at telephone number 703-308-0956 or to the technical support staff supervisor at telephone number 703-308-3072.

  
sus  
May 5, 2003

  
Rodney Boverick  
Supervisory Patent Examiner  
Technology Center 2800